

03-01-05

PATENT



Attorney's Docket No. 038826-273099

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Timothy M. Owens, et al Confirmation no. 2287
Appl No.: 10/756,185
Filed: Jan. 13, 2004
For: Golf Ball

February 28, 2005

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO OFFICE ACTION MAILED SEPTEMBER 30, 2004

Sir:

Remarks

The Examiner has reject pending claims 21 – 37 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,044,225. U.S. Patent No. 6,044,225 is entitled “Multiple parallel digital data stream channel controller.” It appears that the Examiner intended to reject the claims under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 5 of U.S. Patent No. 6,004,225, entitled “Golf Ball,” which issued to Owens et al and which has been assigned to Noonan LLC. Applicant submits herewith a terminal disclaimer in compliance with 37 CFR 1.321(c). Applicant also submits herewith a Statement Under 37 CFR 3.73(b) reflecting the assignment of the pending application and U.S. Patent Nos. 6,004,225 and 6,705,957 to Noonan LLC.

Accordingly, it is believed that this application is now in condition for immediate allowance, which action is respectfully solicited. Should the Examiner have any